

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

SCOTT PHILLIP LEWIS,
Plaintiff

v.

WILLIAMSON COUNTY, TEXAS,
Defendant

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Case No. 1:21-cv-00074-ADA-SH

AMENDED SCHEDULING ORDER AND ORDER ON MOTION TO COMPEL

Now before the Court is Defendant Williamson County, Texas’ Motion to Compel Plaintiff’s Discovery Responses, filed May 26, 2023 (Dkt. 93); Plaintiff’s Response, filed June 9, 2023 (Dkt. 95); and Defendant’s Amended Reply, filed June 15, 2023 (Dkt. 97).¹ Defendant asks the Court to compel Plaintiff Scott Phillip Lewis to respond to its First Set of Interrogatories and First Set of Requests for Production, which were served April 19, 2023. *Id.* at 2. On July 19, 2023, the Court held a hearing on the Motion, at which Lewis, who is proceeding *pro se*, and counsel for Williamson County were present.

Because Plaintiff is proceeding *pro se*, the Court construes his pleadings liberally. *Hawbecker v. Hall*, 88 F. Supp. 3d 723, 726 (W.D. Tex. 2016). But courts “still require pro se parties to fundamentally ‘abide by the rules that govern the federal courts.’” *E.E.O.C. v. Simbaki, Ltd.*, 767 F.3d 475, 484 (5th Cir. 2014) (quoting *Frazier v. Wells Fargo Bank, N.A.*, 541 F. App’x 419, 421 (5th Cir. 2013)). Under Local Rule CV-7(d)(2), Plaintiff’s response to Defendant’s Motion to Compel was due June 2, 2023, but his response was filed one week late and raised no substantive objections to the requested discovery.

¹ The District Court referred all nondispositive and dispositive motions in this case to the undersigned Magistrate Judge for resolution or Report and Recommendation, respectively, pursuant to 28 U.S.C. § 636(b)(1), Federal Rule of Civil Procedure 72, and Rule 1 of Appendix C of the Local Rules of the United States District Court for the Western District of Texas (“Local Rules”). Dkt. 16.

The Court therefore **GRANTS** Defendant Williamson County, Texas' Motion to Compel Plaintiff's Discovery Responses (Dkt. 93) under Local Rule CV-7(d)(2) ("If there is no response filed within the time period prescribed by this rule, the court may grant the motion as unopposed."). As stated on the record during the hearing, Defendant agreed to withdraw its Interrogatory No. 14, which concerns claims that have been dismissed. Plaintiff is **ORDERED** to serve on Defendant his responses to all other interrogatories and requests for production in Defendant's First Set of Interrogatories and First Set of Requests for Production, along with any nonprivileged responsive documents, **on or before August 18, 2023**. Plaintiff is admonished that the Court may impose sanctions under Rule 16(f) if he fails to obey this Order.

The Court further **ORDERS** Defendant to produce any nonprivileged documents within its possession, custody, or control responsive to the following requests made orally by Plaintiff during the hearing **on or before August 18, 2023**:

1. Recordings of any phone calls (a) by Plaintiff from the Williamson County Jail during his detention or (b) to the Williamson County Jail on January 25, 2019 from Deborah Lewis, David Uhl, or Luke Cometti.
2. Any body camera footage of Plaintiff's arrest from all officers at the scene.
3. Any dash camera footage of Plaintiff's arrest from all Williamson County Sheriff's Department vehicles at the scene.
4. Any raw footage of Plaintiff's arrest from Big Fish Entertainment, producer of the "Live PD" reality television series.
5. Copies of Plaintiff's two complaints to officers at the Williamson County Jail in March and July 2019.

6. Documents relating to any investigation of Plaintiff's complaints by Williamson County Sheriff's Deputy Lowthorp.

7. Any recording of the 911 call that led to Plaintiff's arrest.

The Court further **ORDERS** that the scheduling order in this case is **AMENDED** to the extent that the parties shall complete discovery by **September 1, 2023** and all dispositive motions shall be filed and served on all other parties on or before **October 2, 2023**. All other dates in the District Court's scheduling order remain as set. *See* Dkt. 87-1; Text Order entered May 18, 2023.

SIGNED on July 19, 2023.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE